

REMARKS

Claims 1, 6, and 11-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kadansky et al. (US 6,507,562), in view of Dillon (US 2003/0206554), and further in view of Kamisaka et al. (US 5,708,960). Claims 2, 3, and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kadansky, in view of Dillon and Kamisaka, and further in view of Gupta (US 6,577,599). Claims 4, 8, and 9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kadansky, in view of Dillon and Kamisaka, and further in view of McNeil (US 6,421,706). Claims 5, 7, and 16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kadansky, in view of Dillon and Kamisaka, and further in view of Miura et al. (US 6,483,848). Claim 10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Kadansky, in view of Dillon, Kamisaka and McNeil, and further in view of Wada (US 2003/0007481).

In an example embodiment of the present invention, Claim 1, as currently amended, recites a method for content push synchronization for bulk data transfer in a multimedia network. The method includes, in part, attempting to selectively receive an identified subset of the bulk data content at a *subset of end node devices* during a scheduled transmission. Selectively receive may be *based on notification information* received by each end node device.

The Dillon reference teaches a receiver that monitors receiver activity and selectively receives content *based on the monitored receiver activity*. Monitored activity includes programs running on the receiver, memory utilization, and user input (e.g., keystrokes or mouse clicks). The receiver may further suspend reception of the content pending conclusion of the monitored activity so as not to interfere with the monitored activity (see paras. 0031 and 0154). Thus, Dillon either receives all the content or none of the content. Dillon does not teach selectively receiving a *subset* of the bulk content as originally claimed in Applicants' Claim 1. However, to further clarify Applicants' claimed feature, Claim 1 has been amended to recite:

scanning the bulk data content to identify the subset of bulk data content indicated by the notification;

attempting to selectively receive [[a]] the identified subset of the bulk data content at the subset of end node devices during the scheduled transmission, the selective receiving based on the notification information received by each end node device;

Consequently, Applicants respectfully submit that Dillon does not teach all the claimed features as recited in now amended Claim 1. Because the Kadansky and Kamisaka references are silent with regard to selectively receiving an identified subset of content based on notification information, it stands to reason that neither reference adds the missing features to Dillon. Thus, Kadansky and Kamisaka, alone or in combination, do not teach, suggest, or provide motivation for Applicants' Claim 1 as currently amended.

An example embodiment of the present invention also includes scheduling transmission of bulk data content to a plurality of end node devices. The schedule may include identifying a subset of end node devices and the subset of end node devices may be associated with a subset of the bulk data content. Kadansky has been cited as teaching scheduling transmission of bulk data content. However, Applicants respectfully submit that Kadansky does not teach or suggest "scheduling transmission of bulk data content to a plurality of end node devices, the schedule including identifying a subset of end node devices" and "associating the subset of end node devices with a subset of the bulk data content" as claimed in amended Claim 1.

In contrast, Kadansky's "scheduler" is merely a rate-based flow control and congestion avoidance mechanism. The reliable multicast protocol model (TRAM) schedules packet transmission according to a *data rate* that is dynamically adjusted based on congestion feedback from a receiver. The "scheduler" computes the amount of time to delay each packet to achieve a desired data rate (see Col 16, lines 28-30, and Col. 29, lines 33-34). Receivers periodically report congestion conditions to a repair head to determine the delay time. Thus, Kadansky's 'scheduler' provides rate control information, not a transmission schedule. Furthermore, in contrast to Applicants' technique of notifying end nodes of the scheduled transmission, Kadansky's receivers (i.e., end nodes) report congestion conditions to the sender. Thus, Kadansky does not teach or suggest "scheduling transmission of bulk data content to a plurality of end node devices, the schedule including identifying a subset of end node devices" and "notifying each end node device of the scheduled bulk data transmission" as claimed in amended Claim 1.

The instant Office Action asserts that Kadansky teaches scheduling transmission of bulk data content. However, Applicants respectfully submit that Kadansky does not teach or suggest

“scheduling transmission of bulk data content to a plurality of end node devices, the schedule targeting a subset of end node devices” as recited in now amended base Claim 1.

The example embodiment further includes notifying each end node on an individual basis. Kadansky describes a multicast scheme where prior to forming a tree and while the tree is formed, all receivers receive multicast messages sent collectively to all members in the multicast group (see Col. 18, lines 1-29 and Col. 33, lines 48-59). One skilled in the art would recognize that multicast communications send one copy of information to a group of receivers defined in a multicast group address. Therefore, Kadansky does not teach or suggest “notifying each end node device ...on an individual basis” as recited in amended Claim 1.

In the interest of expediting prosecution, an additional clarifying amendment has also been made to base Claim 1 that includes “...if received as expected, activating the content.”

Because the Kadansky, Dillon, and Kamisaka references, alone or in combination, do not teach or suggest each and every claim element as recited in Applicants’ presently amended Claim 1, Applicants respectfully submit that the present invention is patentably distinguished over the cited references.

Claims 2-5, and 7-16 depend, directly or indirectly, on base Claim 1. Accordingly, Applicants respectfully submit that Claims 2-5, and 7-16 are also allowable for at least the same reasons. Accordingly, Applicants respectfully request withdrawal of the rejection.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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